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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
15111-000166

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] On _____ Signature _____ Typed or printed name _____	Application Number 10/706,221	Filed 11/12/2003
	First Named Inventor Heiko Taxis	
	Art Unit 2617	Examiner Emem O. Stephen

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 27313.

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Christopher M. Brock
Signature

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248.641.1600
Telephone number

June 25, 2009
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/706,221
Filing Date:	11/12/2003
Applicant:	Heiko Taxis
Group Art Unit:	2617
Examiner:	Emem O. Stephen
Title:	Driver Information System
Attorney Docket:	15111-000166

Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

In response to the Final Office Action mailed March 25, 2009, please consider the remarks set forth below.

Claims 1, 3-5 and 7-22 are now pending in the application. All of the pending claims stand rejected under 35 U.S.C. § 103(a).

Appellant submits that the Examiner has committed clear error in rejecting the claims of the application.

Briefly, the present invention relates to a modular driver information system that allows the user to customize the arrangement of the various input control devices that control the different components (e.g., audio, navigation, HVAC, etc.) in a vehicle. The system comprises a holding unit having a number of operational control slots, and a plurality of individual operational control units that can be interchangeably arranged in the various operational control slots. Each operational control unit includes a transmitting unit that, when actuated, transmits a unique control signal that identifies the particular operational control unit. The control device of the system includes one or more receiver units for receiving the control signals and a controller for controlling the different vehicle components accordingly. Because the various operational

control units can be interchangeably arranged within the various control slots within the holding unit, the data connection by which the control signals are transmitted between each operational control unit and the receiver unit(s) of the control device is the same for all units. In addition, in a preferred embodiment, this data connection is a wireless connection, and further preferable, an optical connection.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3-5, 8 and 10-22 (which includes all of the independent Claims 1, 12, 13, 14 and 19) stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gortz et al. (US 6,629,183) in view of Nagasaka et al. (US 7,010,756) and further in view of Bramesfeld et al. (US 6,140,593).

The Gortz et al. patent is directed to a motor vehicle interface system that enables the operation of various application units (e.g., navigation system, mobile phone, safety monitoring system, etc.) via different types of input means (e.g., keyboard, voice command, video display, etc.). Thus, for example, the interface 20 in Gortz et al. can control the navigation system 11.1 from commands received via the keyboard 12.1 and tactile driver interface 21, or from voice commands received via microphone 12.2 and audio driver interface 22. Similarly, the navigation system 11.1 can communicate feedback instructions to the driver either visually via video driver 23 and display screen 13.1 or audibly via audio driver interface 22 and speaker 13.2. However, Gortz et al. fails to disclose a holding unit with a number of operational control slots each adapted to interchangeably receive one of a plurality of operational control units. In addition, Gortz et al. fails to disclose transmitting units that transmit control signals containing identification information uniquely identifying each operational control unit.

The Examiner cites Nagasaka et al. as disclosing "[i]n a similar endeavor ***[a] transmitting unit (122) for transmitting a control signal that contains identification information identifying the particular operational control ...". It is then asserted that it would be obvious to modify Gortz et al. so that the transmitting units in Gortz et al. (i.e., keypad 12.2; microphone 12.2 and corresponding A/O converter 26; and video camera 12.3 and its corresponding A/D converter 26) transmit control signals containing identification information in light of the teaching in Nagasaka et al.

This assertion, however, from a technical standpoint makes absolutely no sense. The design of the interface in Gortz et al. requires that the keypad 12.1 is connected to the tactile driver interface 21, the microphone 12.2 is connected to the audio driver interface 22, and the camera 12.3 is connected to the video driver interface. What then would possibly motivate one of ordinary skill in the art to modify the camera 12.3, for example, in Gortz et al. to add

identification information to the video data transmitted to the video driver interface 23 for the purpose of informing the video driver interface that the incoming data is video data from a camera, when the video driver interface 23 already "knows" this because it is only designed to receive video data from a camera? In other words, by virtue of the fact that the various interface circuits 21, 22 and 23 can only be connected to one particular type of input device -- i.e., the connections of the various input/output devices are not interchangeable as the Examiner readily admits -- there is absolutely no need to transmit an identification signal that uniquely identifies the particular device.

Therefore, the asserted obviousness of this combination is unsupportable and should be withdrawn.

Next, the Examiner asserts that the Bramesfeld et al. references discloses "operational control units interchangeably arranged in the slots of a holding device (see Figs. 1-2, and col. 2, lines 55-61). Therefore, it would be obvious *** to substitute the interchangeable operational control units of Bramesfeld in the [Gortz et al./Nagasaka et al.] combination ...". However, it is respectfully submitted that the teaching of Bramesfeld et al. cannot be combined with Gortz et al. in the manner asserted. In particular, one cannot simply rearrange the input/output devices in Gortz et al. and have the interface function properly. As noted above, the various input/output devices in Gortz et al. can only be connected one way; they are not interchangeable and Bramesfeld et al. does not teach how the Gortz et al. interface device could possibly be modified to make the devices interchangeable.

Moreover, it also makes no sense to the invention of Gortz et al. to substitute the array of simple pushbutton switches shown in Bramesfeld et al. for the different tactile, video, and audio input/output devices (12.1, 12.2, 12.3; 13.1, 13.2) used in Gortz et al. As noted above, the entire premise of the Gortz et al. system is to provide an interface that enables the operation of various application units (e.g., navigation system, mobile phone, etc.) via different types of input means (e.g., keyboard, voice command, etc.). Thus, why would one of ordinary skill in the art modify the interface in Gortz et al. and substitute a plurality of the same pushbutton switches for the different types of input devices shown?

In addition, the only interchangeable items in Bramesfeld et al. are the switch caps 20 which are completely passive devices. In other words, the switch array in Bramesfeld et al. relies upon the accurate positioning of the switch caps 20 in the housing 12 to ensure the pins 28 on the backside of the switch caps 20 contact the correct contact areas 38 on the switch card 32. Thus, the switch caps in Bramesfeld et al. contain no circuitry that transmits a control signal containing identification information as recited in the present claims.

With respect to independent Claims 12-14, each of these claims recite various forms of the preferred wireless data communication link between the transmitting unit of each operational control unit and the receiving unit of the control device. It is unclear from the Office Action where in the cited art this feature of the present invention is allegedly taught. The Examiner variously refers to Gortz et al. at col. 2, lines 61-64; col. 4, lines 1-4, 13-14 and to Claim 5, regarding present Claim 3 (optical data link), and generally to Nagasaka et al. as disclosing "light being emitted when the fingertips touch the surface of the panel ... (col. 10, lines 8-51)." However, this portion of the Nagasaka et al. reference relates to the use of LED's and photo detector units to detect when a portion of the touch screen is pushed. This, however, does not correspond to an optical control signal between the transmitting unit of each interchangeable operational control unit and the receiving unit of the control device. Note, in Nagasaka et al., the resulting "interruption signal" generated when the light beams L1 and L2 are interrupted and supplied to the control unit 82 is a conventional hard-wired electrical signal. (col. 10, lines 46-57).

Moreover, the cited passages in Gortz et al. refer to the optical interface devices (camera 12.3 and display screen 13.1) between the user and the interface device. Again, there is absolutely no suggestion anywhere in Gortz et al. for providing a wireless communication link between the various input/output devices and their corresponding A/D converters, or between the A/D converters and the interface circuits 21-23.

Accordingly, the rejection of independent Claims 12-14 is improper for this additional reason as well.

Finally, Claims 19-22 recite that the data connection by which the control signals from each of the operational control units are transmitted to the receiving unit is configured the same for each operational control unit. This feature of the present invention facilitates the interchangeability of the different operational control units in the various slots of the holding unit. The various switch caps 20 in Bramesfeld et al. have projecting from their rear faces 24 a number of pins 28 at differing locations in order to uniquely identify each switch. On the rear side of the housing 12, a resilient switch card 32 is provided having a predetermined number of contact areas 38 at predetermined positions for receiving the contact force of the respective pins on the various switch caps 20. Accordingly, each switch in Bramesfeld et al. requires a different mechanical arrangement of surface pins and contact areas in order to uniquely identify the switch. Hence, the configuration of the "data connection" between each interchangeable switch cap 20 and the switch card 32 is uniquely different.

Accordingly, the rejection of Claims 19-22 is improper for this additional reason as well.

CONCLUSION

It is therefore respectfully submitted that the outstanding final rejection of pending Claims 1, 3-5 and 7-22 is improper and should be withdrawn. Prompt and favorable consideration of this request is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 25, 2009

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